

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JUN 24 2003

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed SEP 09 1983 under 47035

\*\*\*\*\*

The applicant **Earth Power Resources, Inc. (Delaware)** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

\*\*\*\*\*

1. The source of the proposed appropriation is **Geothermal Well 65-8**
2. The amount of water applied for is **8.96 second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Power Plant cooling**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 8, T41N, R52E, MDM, at a point from which the NE corner of said Section 8 bears N 35°03' E 2946 feet**
6. Place of Use **portion of NE $\frac{1}{4}$  Section 8, T41N, R52E, MDM**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled and cased well equipped with motor, pump, proper seals and pipeline to place of use**
9. Estimated cost of works **\$500,000**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **Applicant is planning 25 MW water cooled Binary Geothermal Power Plant. A portion of the water produced from the geothermal well or wells will be used for evaporative cooling or for cooling tower make-up. Please use map on file under cancelled Permit 47035**

**Ronald C. Barr**  
 By **s/Ronald C. Barr**  
**3203 S. Owasso Ave.**  
**Tulsa, OK 74105**

Compared cmf/ cac ag/<sup>cmf</sup>

Protested \_\_\_\_\_

\*\*\*\*\*

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existed rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will depend upon the amount actually placed to beneficial use. It is also understood that this right must allow for reasonable decrease in reservoir pressure and heat. The well shall be constructed and maintained to prevent any waste of the geothermal fluid above or below the surface. The producing well discharge shall be closely monitored and recorded. The amount of fluid injected back to the reservoir shall also be monitored and recorded to determine the total annual diversion and consumption for beneficial use.

The annulus of any well drilled under this permit is to be cemented from the top of the producing or injection interval to surface to prevent waste and to prevent any communication with fresh ground water. Only geothermal waters are to be diverted under this permit and the cooled geothermal fluids are to be returned to the source via the injection well.

This permit does not relieve the operator of the requirements of any State, Federal or Local agency. This permit does not extend the permittee the right to ingress or egress on public, private or corporate lands.

A report detailing the proposed reservoir-monitoring plan shall be submitted to the State Engineer before any production under this permit. The report should also include the monitoring of Hot Creek. A mitigation plan must also be submitted in the event that Hot Creek is impacted by this application.

A report on the operation and monitoring of the production and injection well system shall be filed together with the Proof of Completion.

An annual report that documents the amounts of fluids produced, injected and/or consumed shall be filed under this permit not later than on January 31 of the year following the reported year. Any exploration and subsurface information obtained as a result of this project shall be kept confidential pursuant to Chapter 534A.031 of the Nevada Revised Statutes (NRS).

The total withdrawal of geothermal fluid under this permit shall be limited to 6486.77 acre-feet per year. This appropriation permit allows for a total consumptive use of the geothermal fluid that shall not exceed 20% of the amount produced annually. The State Engineer reserves the right to make findings regarding the consumptive use of the geothermal fluid under this permit and imposed additional conditions thereto.

This permit is further issued subject to the provisions of NRS 533.372 and with the understanding that the power or energy generated by the beneficial use of the geothermal fluid is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 8.96 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 25, 2006

Proof of completion of work shall be filed on or before:

June 25, 2006

Water must be placed to beneficial use on or before:

May 25, 2009

Proof of the application of water to beneficial use shall be filed on or before:

June 25, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of May, A.D. 2004

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

